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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,208	02/14/2002	Shinya Adachi	34409	7063
116	7590	07/11/2005	EXAMINER	
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			TO, TUAN C	
			ART UNIT	PAPER NUMBER
			3663	

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/075,208

**Applicant(s)**

ADACHI ET AL.

**Examiner**

Tuan C. To

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12/10/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18 and 42 is/are allowed.
- 6) ☒ Claim(s) 19-41, 43 and 44 is/are rejected.
- 7) ☒ Claim(s) 2 and 42 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/10/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

Claims 2, and 42 are objected to because of the following informalities: the word "raod", and "cording" are both misspelled as they appear in the claims. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 19-41, 43, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano (US 20020004701A1) and in view of Edge (US 20030060970A1).

With regard to claims 19, 37, and 43, the primary reference to Nakano has been cited as teaching a system/method for updating road information in map information, comprising a map database site (1) for transmitting map data to a terminal unit (3), which is a mobile phone, PDA, or a navigation system. Another thing that should be noted in the patent, the map database site (1) is the claimed information provider and the terminal unit (3) is the claimed party for receiving map data (or on-road location information). As represented in Nakano patent, the database site (1) includes a map server (11) searches the coordinate database (14) to compare the string of characters with the coordinate data stored in the coordinate database (14), and then read the coordinate data indicative of the corresponding coordinate data on the map (Nakano, paragraph 0066).

Nakano does not disclose that the map data base site transmits location information using a shape data including a coordinate string.

The reference to Edge has been provided as disclosing a system/method for defining location coordinate, in which a plurality of coordinates have been converted to a plurality of character strings (Edge, figure 1; page 3, paragraph 0023).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the teachings as taught by Edge to the system/method for updating road information in map information as taught by Nakano to gain advantage

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therefore (ie, an individual carrying a portable navigation unit can be able to accurately determine the current location of the device with respect to the location of a main fix navigation device installed on a vehicle).

With regard to claims 20 and 21, Edge teaches a plurality of character strings represent a geographic location on a digital map (Edge, page 3, paragraph 0023).

With regard to claims 22-24, as represented in Edge, the coordinates of a geographic region have been converted to a plurality of character strings. Thus, Edge inherently teaches the shape data (derived as coordinates data) includes a coordinate character strings indicating a border of a region in which an event occurs, and also said shape data includes a coordinate string indicating points at a predetermined intervals.

With regard to claim 25, in Nakano, "the party for receiving side implements shape matching using said shape data in order to identify the location" has been disclosed (Nakano, page 3, paragraph 0066).

With respect to claims 26, 32, 35, 36, and 38-41, the primary reference to Nakano has been cited as teaching a system/method for updating road information in map information, comprising a map database site (1) for transmitting map data to a terminal unit (3), which is a mobile phone, PDA, or a navigation system. Another thing that should be noted in the patent, the map database site (1) is the claimed information provider and the terminal unit (3) is the claimed party for receiving map data (or on-road location information). As represented in Nakano patent, the database site (1) includes a map server (11) searches the coordinate database (14) to compare the string of characters with the coordinate data stored in the coordinate database (14), and then

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read the coordinate data indicative of the corresponding coordinate data on the map (Nakano, paragraph 0066).

Nakano does not disclose that the map data base site transmits location information using a shape data including a coordinate string.

The reference to Edge has been provided as disclosing a system/method for defining location coordinate, in which a plurality of coordinates have been converted to a plurality of character strings (Edge, figure 1; page 3, paragraph 0023).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the teachings as taught by Edge to the system/method for updating road information in map information as taught by Nakano to gain advantage therefore (ie, an individual carrying a portable navigation unit can be able to accurately determine the current location of the device with respect to the location of a main fix navigation device installed on a vehicle).

With regard to claim 27, Edge teaches a plurality of character strings represent a geographic location on a digital map (Edge, page 3, paragraph 0023).

With regard to claims 28-30, as represented in Edge, the coordinates of a geographic region have been converted to a plurality of character strings. Thus, Edge inherently teaches the shape data (derived as coordinates data) includes a coordinate character strings indicating a border of a region in which an event occurs, and also said shape data includes a coordinate string indicating points at a predetermined intervals.

With regard to claim 31, in Nakano, "the party for receiving side implements shape matching using said shape data in order to identify the location" has been disclosed (Nakano, page 3, paragraph 0066).

With regard to claim 33 and 34, Nakano teaches that the map database site is an information center for transmitting the map data to a receiving party, which could be a mobile phone, a PDA, or navigation system (Nakano, page 3, paragraphs 0068-0070).

With regard to claims 43 and 44, the map data including road information is transmitted to a receiving party in response to a request from said party.

#### ***Allowable Subject Matter***

After carefully considering the application with special attention, the examiner has realized that the prior art fail to disclose "a party for receiving said on-road location information performs shape matching using said shape data to identify said road section on the digital map and uses said relative data to identify the on-road location in said road section". The prior art also fails to disclose the following: "coordinate string includes a coordinate on a road, wherein at least a part of said road is included in a digital map data of said party of receiving side, and coordinate indicating a shape whose location is capable of being identified at said party of receiving side". For that reason, claims 1-18, and 42 are now set in a condition of allowance.

#### ***Conclusions***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/tc

July 06, 2005

  
JACK KEITH  
PRIMARY EXAMINER  
SPE 3663